

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

HOUSE APPROPRIATIONS COMMITTEE

Date: Friday, March 20, 2009
Place: Capitol

Time: 3:00 pm
Room: 102

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

HB 5, HB 11

EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

HB 10 DPAA			
HB 11 DPAA			

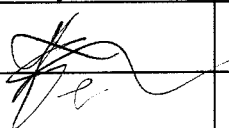
COMMENTS:

For
REP. Jon C. Sesso, Chairman

CA/liner, Vice Chair

HOUSE OF REPRESENTATIVES
Roll Call
APPROPRIATIONS COMMITTEE

DATE: 3/20/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Rep. Hiner	X	
Rep. McNutt	X	
Rep. Villa	X	
Rep. Roberts	X	
Rep. Nooney		X excused
Rep. Steenson	X	
Rep. Henry	X	
Rep. McChesney	X	
Rep. Getz	X	
Rep. Hawk	X	
Rep. Kasten	X	
Rep. Morgan	X	
Rep. Hollandsworth	X	
Rep. Ankney	X	
Rep. Pease-Lopez	X	
Rep. Hollenbaugh	X	
Rep. Mehlhoff	X	
Rep. Jones	X	
Rep. Glaser	X	
Chairman Sesso	X	
		



HOUSE STANDING COMMITTEE REPORT

March 21, 2009

Page 1 of 3

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 10** (first reading copy – white) do pass as amended.

Signed: _____

Representative Jon C. Sesso, Chair

And, that such amendments read:

1. Page 2, line 9.

Following: "administration"

Insert: "to be used only"

2. Page 2, line 12 through line 13.

Strike: line 12 through line 13 in their entirety

3. Page 2, line 20.

Following: line 19

Insert: "SECRETARY OF STATE

Information Management System 1,500,000 [LRITP] 1,500,000
[Total]"

4. Page 2, line 20.

Following: "appropriated"

Insert: "to the department of public health and human services"

5. Page 2, line 21.

Following: "2007,"

Strike: "for the department of public health and human services"

Following: "within"

Insert: "the long-range information technology"

Following: "fund"

Strike: "types"

Insert: "type"

Committee Vote:

Yes 20, No 0

Fiscal Note Required ____

HB0010002SC.hjd

6. Page 3, line 1.

Following: "among"

Insert: "department of public health and human services"

Following: "projects."

Insert: "The projects for which funds are appropriated to the department of public health and human services in [section 3] and this section and those projects authorized in section 14, Chapter 3, Special Laws of May 2007, are authorized for the transfer of appropriations and authority within the federal special revenue fund type and among department of public health and human services projects. The department of public health and human services shall report changes to appropriations and authority related to the information technology projects in section 14, Chapter 3, Special Laws of May 2007, and in [section 3] and this section to the interim legislative finance committee upon occurrence."

7. Page 3.

Following: line 3

Insert: "(6) For the item Medicaid Management Information System Replacement in subsection (3), the department of public health and human services shall provide a work plan with milestones, goals, and measures to guide the medicaid management information system replacement to the Legislative Finance Committee at its June 2009 meeting. At each legislative finance committee meeting, the department shall provide an update on its activities and progress toward achieving elements of the work plan in a format developed in conjunction with the legislative finance committee."

8. Page 3, line 6.

Following: "agency"

Insert: " to be used only for the specified projects"

9. Page 3, line 10.

Following: "Montana"

Insert: "Equipment"

Strike: "2,000,000 [General Fund] 2,000,000 [Total]"

Insert: "1,000,000 [General Fund] 1,000,000 [Total]"

10. Page 3, line 12 through line 13.

Strike: line 12 through line 13 in their entirety

11. Page 3.

Following: line 13

Insert: "(2) For the item in subsection (1) for Interoperability Montana Equipment, the department shall exercise due diligence in determining the appropriateness, effectiveness,

and reliability of technology and equipment, taking into consideration input and advice from system users, including field personnel and a broad representation of use groups. Recommendations for acquisition of technology and equipment should be reported to the information technology board established in 2-15-1021."

12. Page 3, line 15.

Following: "transfers."

Strike: "(1)"

13. Page 3, line 18 through page 4, line 1.

Strike: subsection (2) in its entirety

- END -



HOUSE STANDING COMMITTEE REPORT

March 21, 2009

Page 1 of 7

Mr. Speaker:

We, your committee on **Appropriations** recommend that **House Bill 11** (first reading copy – white) **do pass as amended.**

Signed: _____

Representative Jon C. Sesso, Chair

And, that such amendments read:

1. Title, line 15.

Following: "PROJECTS;"

Insert: "TERMINATING CERTAIN PRIOR TREASURE STATE ENDOWMENT GRANTS; AMENDING SECTION 90-6-701, MCA, AND SECTION 1, CHAPTER 383, LAWS OF 2007;"

2. Page 1, line 20.

Following: "commerce"

Strike: "\$16,083,889"

Insert: "\$17.8 million"

3. Page 1, line 21.

Following: "account"

Insert: "and any funds appropriated to the department in [section 7] remaining after all obligations to fund eligible projects identified in [section 1(3)] have been fully met, to be used"

4. Page 3, line 8.

Following: line 7

Insert: "37. Granite County (solid waste) 197,000
38. Missoula County for Seeley Lake (wastewater) 750,000
39. Seeley Lake Sewer District (wastewater) 750,000
40. Dutton, Town of (wastewater) 500,000
41. Blaine County (bridge) 384,160
42. Loma County Water and Sewer District (water) 750,000
43. Harlowton, Town of (water) 500,000"

Committee Vote:

Yes 20, No 0

Fiscal Note Required ____

HB0011002SC.hjd

44. Kevin, Town of (water) 500,000
45. Flathead County (for Bigfork) (stormwater) 625,000
46. Woods Bay Homesites Water and Sewer District (wastewater) 730,000
47. Lockwood, (wastewater) 500,000
48. Shelby, City of (wastewater) 625,000
49. Whitefish, City of (wastewater) 500,000
50. Eureka, Town of (water) 625,000
51. Troy, City of (water) 715,000
52. Fallon County North Baker Water and Sewer District (wastewater) 120,000
53. Sheaver's Creek Water and Sewer District (wastewater) 600,000
54. Yellowstone County (bridge) 228,753
55. Gore Hill County Water District (water) 250,300
56. South Chester County Water District (water) 131,000
57. Livingston, City of (wastewater/solid waste) 500,000
58. Flathead County Water and Sewer District (Happy Valley) (water) 500,000
59. Bynum Teton County Water and Sewer District (water) 567,000
60. Bozeman, City of (wastewater) 500,000
61. Fort Smith Water and Sewer District (water) 500,000
62. Jette Meadows Water and Sewer District (water) 750,000
63. Greater Woods Bay Sewer District (wastewater) 488,000
64. Em-Kayan Village Water and Sewer District (water) 290,619
65. Stevensville, Town of (water) 500,000
66. Bridger Pines County Water and Sewer District (wastewater) 400,000"

5. Page 3, line 16 and 17.

Following: "funds" on line 16

Strike: remainder of line 16 through "during" on line 17

Insert: "appropriated in subsection (1) for"

6. Page 3, line 18.

Following: the first "projects"

Insert: "numbered 1 through 33 in subsection (3) "

7. Page 3, line 20.

Strike: "36"

Insert: "66"

8. Page 3, lines 21 through 26.

Following: "only" on line 21

Strike: remainder of line 21 through line 26 in their entirety

Insert: "so long as there are sufficient funds from the amount appropriated in subsection (1). Once all funds appropriated in subsection (1) are totally committed to projects numbered 34 through 66 in subsection (3) that have satisfied the conditions described in [section 3(1)], the obligation to remaining projects will cease. If funds appropriated in

subsection (1) are insufficient to fund any of the projects that have satisfied the conditions described in [section 3(1)] prior to June 30, 2011, the treasure state endowment program shall fund the projects by borrowing money from the board of investments pursuant to 90-6-701(1)(b). There is appropriated to the department of commerce up to \$6,512,000 of funds borrowed from the board of investments."

9. Page 6, line 5.

Strike: "\$8"

Insert: "\$15"

10. Page 6, line 7.

Following: "account"

Insert: "and other funds"

11. Page 7, line 4.

Insert: "Section 10. Section 90-6-701, MCA, is amended to read:

"90-6-701. Treasure state endowment program created -- definitions. (1) (a) There is a treasure state endowment program that consists of:

(i) the treasure state endowment fund established in 17-5-703;

(ii) the infrastructure portion of the coal severance tax bond program provided for in 17-5-701(2).

(b) The treasure state endowment program may borrow from the board of investments to provide additional financial assistance for local government infrastructure projects under this part, provided that no part of the loan may be made from retirement funds.

(2) Interest from the treasure state endowment fund and from proceeds of the sale of bonds under 17-5-701(2) may be used to provide financial assistance for local government infrastructure projects under this part, to provide funding to the department of commerce for the administrative costs of the treasure state endowment program, and to repay loans from the board of investments.

(3) As used in this part, the following definitions apply:

(a) "Infrastructure projects" means:

(i) drinking water systems;

(ii) wastewater treatment;

(iii) sanitary sewer or storm sewer systems;

(iv) solid waste disposal and separation systems, including site acquisition, preparation, or monitoring; or

(v) bridges.

(b) "Local government" means an incorporated city or town, a county, a consolidated local government, a tribal government, a county or multicounty water, sewer, or solid waste district, or an authority as defined in 75-6-304.

(c) "Treasure state endowment fund" means the coal

severance tax infrastructure endowment fund established in 17-5-703(1)(b).

(d) "Treasure state endowment program" means the local government infrastructure investment program established in subsection (1).

(e) "Tribal government" means a federally recognized Indian tribe within the state of Montana."

Insert: "Section 11. Section 1, Chapter 383, Laws of 2007, is amended to read:

"Section 1. Appropriation from treasure state endowment state special revenue account. (1) There is appropriated to the department of commerce ~~\$17,333,653~~ up to \$40,173,080 of the interest earnings from the treasure state endowment state special revenue account and from other funds to finance grants authorized by this section.

(2) The funds appropriated in this section must be used by the department to make grants to the governmental entities listed in subsection (3) for the described purposes and in amounts not to exceed the amounts set out in subsection (3). The appropriations are subject to the conditions set forth in [sections 2 and 3] and described in the treasure state endowment program 2009 biennium report to the 60th legislature. The legislature, pursuant to 90-6-710, authorizes the grants for the projects listed in subsection (3). The department shall commit funds to projects listed in subsection (3), up to the amounts authorized, based on the manner of disbursement set forth in [section 3] until interest earnings and other funds deposited into the treasure state endowment state special revenue account during the 2009 biennium are expended.

(3) The following applicants and projects are authorized for grants:

Applicant/Project	Grant Amount
1. Lewis and Clark County for the Woodlawn Addition (water)	\$596,420
2. Bainville, Town of (wastewater)	715,000
3. Madison County (bridge)	370,100
4. Sweet Grass County (bridge)	151,493
5. Powell County (bridge)	263,074
6. Circle, Town of (wastewater)	750,000
7. Harlem, City of (water)	750,000
8. Jordan, Town of (wastewater)	700,000
9. Thompson Falls, City of (water)	363,000
10. Twin Bridges, Town of (wastewater)	750,000
11. Seeley Lake-Missoula County Water District (water)	750,000
12. Fergus County (bridge)	238,362
13. Sunny Meadows-Missoula County Water and Sewer District (water)	325,000
14. Tri-County Water District (water)	313,500
15. Blaine County (bridge)	617,017
16. Loma County Water and Sewer District (water)	750,000
17. Ekalaka, Town of (water and wastewater)	706,369

18. Stillwater County (bridge) 407,500
19. Sheridan, Town of (wastewater) 750,000
- ~~20. Carter-Chouteau County Water and Sewer District (water) 750,000~~
21. Bigfork County Water and Sewer District (wastewater) 750,000
22. Dayton-Lake County Water and Sewer District (wastewater) 750,000
23. Judith Basin County (bridge) 192,215
24. Pinesdale, Town of (water) 750,000
25. Power-Teton County Water and Sewer District (water) 604,286
26. Superior, Town of (water) 600,000
27. RAE Subdivision County Water and Sewer District No. 313 (water) 750,000
28. Jefferson County (bridge) 295,800
29. Fort Benton, City of (stormwater) 750,000
30. Laurel, City of (wastewater) 750,000
31. Yellowstone County (bridge) 97,079
32. Neihart, Town of (water) 223,000
33. Three Forks, City of (wastewater) 750,000
34. Manhattan, Town of (water) 600,000
35. Cut Bank, City of (water) 550,000
36. Whitehall, Town of (wastewater) 750,000
37. Crow Tribe (wastewater) 750,000
38. Big Sandy, Town of (wastewater) 750,000
39. Fairfield, Town of (wastewater) 750,000
40. Hamilton, City of (wastewater) 750,000
41. Gallatin County/Hebgen Lake Estates (wastewater) 750,000
42. Shelby, City of (water) 750,000
43. Whitefish, City of (wastewater) 750,000
44. Panoramic Mountain River Heights (water) 191,500
45. Custer County (bridge) 63,750
46. Brady, Town of (wastewater) 750,000
47. Elk Meadows (water) 410,000
48. Polson, City of (water) 750,000
49. Darby, Town of (water) 750,000
50. Goodan-Keil (water) 532,250
51. Butte-Silver Bow (water) 750,000
52. Columbia Falls, City of (wastewater) 750,000
53. North Valley County (water) 750,000
54. Saltese, Town of (wastewater) 390,000
55. Red Lodge, City of (water) 750,000
56. Black Eagle, Town of (water) 365,000

(4) This section constitutes a valid obligation of funds to the grant recipients listed in subsection (3) for purposes of encumbering the treasure state endowment state special revenue account funds and other funds during the 2009 biennium pursuant to 17-7-302. However, a grant recipient's entitlement to receive funds is dependent on the grant recipient's compliance with the conditions described in [section 3(1)] and on the availability of

funds.

(5) Funding for projects numbered 1 through 56 in subsection (3) ~~and for the department of natural resources and conservation project in subsection (6)~~ will be provided from interest earnings and other funds deposited into the treasure state endowment special revenue account during the biennium ending June 30, 2009, for the projects that have satisfied the conditions described in [section 3(1)] prior to June 30, 2009. Funding for the projects listed in subsection (3) will be made available in the order that the grant recipients satisfy the conditions described in [section 3(1)]. ~~If funds appropriated in subsection (1) are insufficient to fund any of the projects that have satisfied the conditions described in [section 3(1)] prior to June 30, 2009, the treasure state endowment program must fund the projects by borrowing money from the board of investments pursuant to 90-6-701(1)(b) for those projects that have satisfied the conditions described in [section 3(1)] by June 30, 2009. There is appropriated to the department of commerce up to \$17,563,890 for funds borrowed from the board of investments.~~

~~(6) Up to \$2,200,000 is granted to the department of natural resources and conservation in fiscal year 2009, which must be used to fund local government renewable resource projects. The grant may only be awarded for the amount of anticipated shortfall in funding all of the renewable resource program grants authorized in [section 1(3) of House Bill No. 6]. Any unexpended funds remaining from this grant on July 1, 2009, will be remitted to the department of commerce, treasure state endowment program, to be used for repayment of loans."~~

Renumber: subsequent sections

12. Page 7, lines 9 through 11.

Strike: section 11 in its entirety

Insert: "NEW SECTION. Section 13. Effective dates. (1) Except as provided in subsection (2), [this act] is effective on passage and approval.

(2) [Section 10] is effective July 1, 2011."

- END -

This is the committee report from the LRP subcommittee to the HAC.

1-Change the title for amendments.

2-Provides an increased appropriation of TSEP interest earnings. The appropriation is increased by \$1.7 million. The change is caused by the reduced expenses of the TSEP. Because the HB 512 loan was eliminated, interest earnings planned for loan payments could be used for grants.

3-Allows funds remaining in the increased appropriation in HB 512 to be used for projects in the 2011 biennium. The full transfer amount from HB 645 was used to increase the appropriation in HB 512. Only a portion of the transfer is needed to fund grants in

HB 512.

4-Inserts the remainder of the recommended TSEP projects for the 2011 biennium.

5-7-Provide conditions for lower list.

8-Provide conditions for lower list and provides an appropriation of \$4.5 million that the TSEP may borrow, if needed, to fund 2011 projects.

9-Provides an increase for the TSEP regional water program. This amendment provides agreement with the HB 640 transfer to the program and agreement with the HJR 2 revenue reductions.

11-Allows the appropriation to be made from interest earnings and other funds.

12-Provides 2 new sections:

a. Provides that the TSEP regional water appropriation pertains to TSEP regional water interest earnings and other funds, with other being the transferred funds.

11-Provides a statutory change that allows interest earnings to be used by the department of commerce for administrative costs.

b. Amends HB 514 (Chapter 383, Laws of 2007) to increase the 2007 appropriation for TSEP projects for the changes of HB 645. The transfer would be \$25 million. The increase is \$24,839,427. The remainder, \$160,598 of the transfer is appropriated in HB 645 for added administrative costs.

This amendment also strikes 2 projects from the HB 512 project list because the projects reapplied for a grant in the 2011 biennium.

This amendment also eliminates the TSEP loan appropriation and eliminates the RRGL grants program grant in HB 512.

These items are not required with the transfer of funds from HB 645.

13-Changes the effective date and provides a new effective date for the statutory change.

HOUSE OF REPRESENTATIVES

Roll Call Vote

3/20/09 APPROPRIATIONS COMMITTEE

DATE ~~3/20/09~~ BILL NO HB 10 MOTION NO. _____

MOTION: Amendment HB 1001006, as to
Rep. Kasten's Conceptual amendment

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Hiner		X	
Rep. McNutt	X		
Rep. Villa		X	X
Rep. Roberts	X		
Rep. Nooney	X		
Rep. Steenson		X	
Rep. Henry		X	
Rep. McChesney		X	
Rep. Getz	X		
Rep. Hawk	X		
Rep. Kasten	X		
Rep. Morgan	X		
Rep. Hollandsworth	X		
Rep. Ankney	X		
Rep. Pease-Lopez		X	
Rep. Hollenbaugh		X	
Rep. Mehlhoff		X	
Rep. Jones	X		
Rep. Glaser	X		
Chairman Sesso		X	

11-9

AUTHORIZED COMMITTEE PROXY

I request to be excused from the APPROPRIATIONS

Committee because of other commitments. I desire to leave my proxy vote with:

Condy Finner

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
HB 10		
HB 001006 Agw	✓	
Conceptual Amendment		✓
HB 11 Conceptual Amendment A	✓	
HB 11 Amended Amendment	✓	
001107 Agw	✓	
HB 11 as amended	✓	

BILL/AMENDMENT	AYE	NO

Rep. [Signature]
(Signature)

Date 3/20/09

**Montana House of Representatives
Visitors Register**

APPROPRIATIONS COMMITTEE

Date: Mar. 20th 09

Bill No. HB 11

- Sponsor(s) Rep. Jon Sesso

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Name and Address	Representing	Support	Oppose	Inf.
Alise Shady	DNRC	✓		
Jim Edgcomb	COMMERCE	X		
Craig Erickson	Beaumont Development	X		
Dave Cole	Commerce	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.